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NEW CALEDONIA

Working paper prepared by the Secretariat

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I. GENERAL

1. New Caledonia is located in the Pacific Ocean, about 1,500 kilometres east of Australia and 1,700 kilometres north of New Zealand. It comprises one large island, known as Grande Terre, and smaller islands known as the Loyalty Islands (Ouvéa, Maré, Lifou and Tiga), the Bélep Archipelago, the Isle of Pines and Huon Island. There are also several uninhabited islands to the north of the Loyalty Islands. The area of Grande Terre is 16,750 square kilometres and that of the whole territory, 19,103 square kilometres. Nouméa, the capital, is located in the south of Grande Terre.

2. According to the 1989 census, the population was 164,173, comprising 73,598 indigenous Melanesians known as Kanaks (44.8 per cent); 55,085 persons of European origin, mainly French (33.6 per cent), of whom 35,000 persons, known as Caldoches, are descendants of the early settlers; 18,936 Wallisians and Tahitians (11.5 per cent); and 16,554 others, mainly Indonesians and Vietnamese (10.1 per cent). It is estimated that in 1991 the population was 170,000 persons.

3. The Territory is divided into three provinces, South and North (on Grande Terre) and the Loyalty Islands. Each province has an elected Assembly which is responsible for local economic development, land reform, cultural affairs and primary education. Together, the members of the assemblies constitute the Territorial Congress, which is responsible for the territorial budget and fiscal affairs, infrastructure, communications and public service of national interest. The French High Commissioner forms the territorial executive. He is assisted by the presidents of the assemblies and by the President of the Territorial Congress. Local government is conducted by 32 municipalities. 1/

4. In order to safeguard Kanak tradition, there are also eight customary regions, each with its own Consultative Customary Council, as well as a Territory-wide Customary Council.

5. There are two principal political groupings and numerous small parties. The two main groupings are the Rassemblement pour la Calédonie dans la République (RPCR), which supports the principle of maintaining New Caledonia in the French Republic and the Front de libération nationale kanake socialiste (FLNKS), which favours independence. The constituents of FLNKS include the Union calédonienne (UC), the Parti de libération kanak (PALIKA), the Union progressiste mélanésienne and the Parti socialiste calédonien (PSC). 2/

6. Elections were held in 1988. RPCR won control of the Provincial Assembly of the South and sufficient minority representation in the other two assemblies to give it half the 54 seats in the Territorial Congress. FLNKS, which controls the provincial assemblies in the North and in the Loyalty Islands, has 19 seats in the Territorial Congress.

7. The Matignon Agreements of 1988 (see A/AC.109/1000, paras. 9-14) provide for a 10-year period of economic and social development and a self-determination referendum to be held in 1998. During the period of development, efforts are being concentrated on effecting a more equitable economic distribution among the

three provinces and providing education and training that would enable Kanaks to participate equally in the economy and Government of the Territory.

II. CONSIDERATION BY THE UNITED NATIONS

A. Consideration by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

8. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples considered the question of New Caledonia at its 1426th and 1428th meetings on 20 July and 12 August 1993. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/1170).

9. At its 1426th meeting, the Committee heard the statement of a petitioner. At the 1428th meeting, the representative of Fiji made a statement in the course of which he introduced, on behalf also of Papua New Guinea, draft resolution A/AC.109/L.1809. At the same meeting, the Special Committee adopted that draft resolution without a vote.

10. On 18 August 1993, the text of the resolution (A/AC.109/1174) was transmitted to the Permanent Representative of France for the attention of his Government.

B. Consideration by the General Assembly

11. In their statements in the general debate at the forty-eighth session of the General Assembly, the following delegations referred to the question of New Caledonia: Fiji and Papua New Guinea (A/48/PV.24), Samoa (A/48/PV.27), Solomon Islands (A/48/PV.28).

12. During the debate in the Special Political and Decolonization Committee (Fourth Committee) on the agenda item on the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Committee heard two petitioners on the question of New Caledonia on 12 October 1993: Mr. Yann Céléné Uregei of the Congrès Populaire and Ms. Donna Winslow on behalf of FLNKS (A/C.4/48/SR.3, paras. 83-101).

13. Several delegations made reference to the question of New Caledonia under the same agenda item.

14. Speaking on behalf of the nine member countries of the South Pacific Forum (SPF) that are Members of the United Nations - Australia, the Federated States of Micronesia, Fiji, the Marshall Islands, New Zealand, Papua New Guinea, Samoa, the Solomon Islands and Vanuatu - the representative of the Marshall Islands referred to the position with regard to New Caledonia taken by the Forum at its

twenty-fourth session, held in Nauru on 10 and 11 August 1993 (A/C.4/48/SR.5, paras. 8-10) (see also paras. 23-26 below).

15. The representative of New Zealand, who fully endorsed the statement made by the representative of the Marshall Islands in his capacity as Chairman of the South Pacific Forum, agreed that the Matignon Agreements continued to offer the best prospects for the political future and economic development of New Caledonia (A/C.4/48/SR.5, para. 32).

16. The representative of Papua New Guinea said he was gratified by the willingness of France to permit a South Pacific Forum ministerial visiting mission to assess developments in New Caledonia and urged France to facilitate regular United Nations visiting missions. He also said that France was taking encouraging measures under the Matignon Agreements for a peaceful solution to self-determination and independence but that recent reports at the Pacific Regional Seminar by representatives of FLNKS (see A/AC.109/1159) indicated that a number of important issues of concern to the Kanak population were not being addressed. He also indicated that progress was also slow in a number of crucial areas like the training of Kanaks in relevant fields, including education, as to their recognized rights under international law. He considered that its own experience had made Papua New Guinea aware of the importance of human resource development in enabling indigenous populations to exercise their right to self-determination and independence under the best possible conditions (A/C.4/48/SR.6, paras. 19-20).

17. The Philippines (A/C.4/48/SR.6, para. 3) and India (A/C.4/48/SR.4, para. 76) were encouraged by the progress made towards resolving the issues in New Caledonia.

18. Speaking on behalf of the Rio Group (Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, El Salvador, Mexico, Paraguay, Peru, Uruguay and Venezuela), the representative of Chile said that the conciliatory dialogue and good faith of the parties set the stage, within the framework of the Matignon Agreements, for the inhabitants of New Caledonia to legitimately exercise their right to self-determination (A/C.4/48/SR.5, para. 60).

19. For his part, the representative of Australia stated that his country attached particular importance to the situation in New Caledonia. He said that the decolonization of New Caledonia represented a particularly complex decolonization situation requiring sensitivity, cooperation and goodwill by all parties involved. Australia believed that the interests of New Caledonia and of regional stability required a peaceful, orderly transition to genuine self-determination in which all options, including independence, would be open, and which would safeguard the rights of the indigenous Kanaks and those of all other New Caledonians. Australia had been much encouraged by the achievements recorded over the last four years under the Matignon Agreements and by the fact that the previous divisions in the Territory had given way to dialogue and consultation on the process under way (A/C.4/48/SR.5, paras. 67-68).

20. The representative of France said that the mid-period assessment of the implementation of the Matignon Agreements had indicated that the three provinces of New Caledonia were already fully discharging the considerable

responsibilities that they had been entrusted with. The measures taken in the economic and social fields had yielded very encouraging results with regard to employment, the infrastructure, development projects, education, professional training and culture. The balance achieved in the past five years had therefore been rather satisfactory. The Government, together with the various media in New Caledonia, was continuing its efforts to strengthen still further the process begun and meet new concerns that were arising in the Territory, such as the problems relating to young people, urban areas and housing.

21. Referring to the draft resolution submitted to the Special Political and Decolonization Committee (Fourth Committee), he noted with satisfaction that the text took account of the positive development of the situation in the Territory in the past five years. Under those circumstances, his delegation was prepared to refrain from opposing the text and from requesting that it should be put to a vote. Nevertheless, France maintained its reservations with regard to the competence of the United Nations to consider the question. His country believed that the Charter of the United Nations granted exclusive competence, with regard to the self-determination of the Non-Self-Governing Territories, to the States that had the responsibility to administer them and that no General Assembly resolution had modified the Charter with regard to that question. Since his delegation considered that the question of New Caledonia was the exclusive responsibility of France, it could not support the adoption of a United Nations text on the question (A/C.4/48/SR.5, paras. 76-78).

22. At its 13th meeting, on 29 October 1993, the Fourth Committee adopted, without objection, the draft resolution submitted by the Special Committee concerning New Caledonia (A/48/23 (part VII, chap. XI, para. 9)).

III. CONSIDERATION BY REGIONAL ORGANIZATIONS

23. The South Pacific Forum, in a communiqué issued at the close of its twenty-fourth session held in Nauru on 10 and 11 August 1993 (A/48/359, annex), reaffirmed its support for the aspirations and goals of the people of New Caledonia and reiterated its full support for the processes being conducted under the Matignon Agreements.

24. SPF said it was again encouraged by the continuing progress being made in implementation of the Agreements and noted the positive measures being pursued by the French authorities in cooperation with all sectors of the population to establish a framework for New Caledonia's peaceful evolution to self-determination. The Forum noted, however, that wide gaps between the communities in New Caledonia persisted. It urged further provision of assistance for education and training opportunities for the Kanak population.

25. The Forum agreed that transparency in the preparation of the electoral rolls and continued dialogue among all parties were important in ensuring an act of self-determination consistent with the principles and practices of the United Nations, in which all options, including independence, were open. It reiterated its hope that France would facilitate regular visits to New Caledonia by visiting missions from the United Nations.

26. SPF encouraged the increasing contacts between its member countries and New Caledonia which was a positive contribution towards the process of political and economic adjustment in the Territory.

IV. POLITICAL DEVELOPMENTS

27. The Committee to Monitor the Matignon Agreements, composed of the French Government, RPCR and FLNKS, held its fifth meeting from 6 to 9 December 1993 in Paris. The meeting mainly dealt with questions of economic development, education and fiscal policies.

28. According to the official summary of conclusions, the Committee considered that ambiguities in the status of territorial collectivities as well as interpretations made by the administrative court (juridiction administrative) had caused some problems; to resolve them, it was important to clarify the respective areas of authority of the State, the provinces and the communes. Delegates from the Territory also felt it was necessary to impose legislative and regulatory measures governing such areas as the protection of the environment, labour, agricultural cooperatives and savings banks. They expressed the view that the provinces should have a voice at the highest level in territorial development bodies. The Committee decided to hold intermediate meetings at three-month intervals to review issues and to ensure that its decisions were being implemented. Finally, both sides mentioned the opportunity to change the formula for apportioning seats in provincial assemblies from 5 per cent of the votes cast (for a candidate) to 5 per cent of the registered voters.

29. As regards education and training, it was pointed out that despite all efforts, there was still a high level of academic failure. To improve the situation, teacher training and pedagogic methods should be reappraised. Also, more should be done to link education to employment possibilities and to develop technical skills.

30. The partners agreed that it was necessary to accelerate the pace of economic development and redistribution among the three provinces. The Committee agreed that a team of economists and managers should be established to help the Territory define its long-term economic policies and determine how to encourage new investments. It was decided, in that connection, to re-examine existing tax legislation to ensure that it did not serve as a disincentive to investment from metropolitan France. The Committee also decided to set up a working group to study the question of immigration, as it considered that an influx of untrained manpower could aggravate existing social problems and create tensions.

31. Recognizing that economic development, particularly the development of tourism, depended on adequate air connections with other countries as well as on competitive fares, the Committee welcomed the proposal by the Ministry of Equipment, Transportation and Tourism to intervene with the President of Air France to complete negotiations regarding expanded air routes before February 1994 so that a draft agreement could be presented and examined the

following May. Improved coordination of tourism policies by the provinces was also considered to be necessary.

32. The Committee decided to set up an independent group to analyse the energy needs of New Caledonia and also took note of the conclusions of a working group on forests, the protection of which, it considered, constituted an essential element in the preservation of water supplies and in reforestation.

33. The Committee also decided to carry out studies on revenues and monetary policy, and expressed concern about the economic problems facing the Territory as a result of the slump in the nickel market and the drought.

34. Under the heading Regional Cooperation, the Committee agreed that the Territory's integration into the Pacific region was progressing. More exchanges of visits were needed to stimulate economic investment.

35. On the issue of culture, it was announced that the Jean-Marie Tjibaou Cultural Centre was nearing completion. The desirability of more visits by theatrical and other cultural groups was expressed.

36. Regarding the Territory's financial situation, Mr. Dominique Perben, Minister for Overseas Departments and Territories indicated that by the end of 1993, the State would have used up almost all the credits corresponding to its undertakings for the first phase of development contracts.

37. Addressing the Committee on 9 December 1993, Mr. Edouard Balladur, Prime Minister of France, said that all political groups had made clear their desire to work for peace and to build their future together. He paid respect to the moderation and courage of those who had chosen this path and reaffirmed the Government's intention to continue to help them achieve their goals. The Prime Minister stressed the importance of education and training since the future of New Caledonia depended primarily on its capacity to create employment opportunities for a growing number of young people. It was necessary to create employment opportunities in all three provinces so population from the North and the Islands would not be drawn to the more developed South, thereby creating social dislocation. Attainment of all of these goals was possible.

38. Development of a road network, water and electricity systems and good telephone service was a preliminary requirement of economic development. Government contracts for the period 1993-1998 totalling 1.850 billion French francs would be fulfilled. In addition, the following supplementary measures would be undertaken: 37 million francs of payment credits would be unblocked; farmers hit by the drought would be compensated; a supplementary credit of 12 million francs would be made available for safety measures in secondary school buildings; a study on ways to export nickel would be undertaken.

39. The first intermediate meeting of the Committee to Monitor the Implementation of the Matignon Agreements was held at Kone, New Caledonia, in February 1994 under the chairmanship of the Minister for Overseas Departments and Territories. The Minister said that action had been initiated towards implementing several of the decisions taken in December, particularly as regards the dispatch of missions to study the questions of environmental protection and

employment. Attention was also being given to the question of additional air routes.

40. Prior to his departure, the Minister said that the four-day meeting had been successful in that there had been a real dialogue and a real discussion, reflecting the sincerity of all the parties to work out an acceptable future. While the Matignon Agreements had been a success politically, however, there were problems on the economic side arising from the fact that the Territory was in a period of stagnation, making economic readjustment among the three provinces difficult.

Notes

1/ The Europa World Year Book 1992, vol. I, p. 1147.

2/ Ibid., p. 1148.